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January 12, 2015

Via ECF

Magistrate Judge A. Kathleen Tomlinson
U.S. District Court, Eastern Dist. of N.Y.
100 Federal Plaza
Courtroom 910
Central Islip, NY 11722

Re: *Moskowitz v. Pullin Law Firm, LLC*, No. 14-cv-06010-LDW-AKT

Dear Judge Tomlinson:

At the December 23, 2014 initial status hearing, the parties discussed the pending *Motion for Class Certification and for a Temporary Stay of Further Proceedings on that Motion* (Dkt. 3) (the "Motion"). Specifically, and as noted in Your Honor's December 24, 2014 Minute Order (Dkt. 19), Plaintiff's counsel explained that the Motion was filed simply to avoid having Defendant attempt to "pick off" the Plaintiff and then seek to moot the case, and the parties further explained to the Court that neither party wants to address the Motion at this time. As noted in the December 24 Order, Your Honor directed the parties to discuss options about what to do with the Motion and to get back to the Court with the parties' positions by January 12, 2015.

Since the December 23, 2014 status hearing, the parties have had multiple conversations relating to the resolution of this case, generally, and to the Motion, in particular. Specifically, the parties have discussed entering into a Stipulation that would provide for the voluntary withdrawal of the Motion. The parties have not yet been able to finalize such a Stipulation but hope to file it by the end of this week.

I have communicated with Defendant's counsel about this letter, and Defendant agrees with the contents thereof. Thank you.

Sincerely,

/s/ Matthew J. Fogelman

Matthew J. Fogelman

*Counsel for Craig Moskowitz and the
Putative Class*

cc: Matthew J. Bizzaro, Esq. (counsel for Defendant)
(via ECF and Electronic Mail)